UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,327	03/25/2004	Mark A. Hartenstein	2004MH01	1373

7590 05/18/2007	**EXAMINER**
William R. Bachand	CHANNAVAJJALA, SRIRAMA T
12602 N 35th Place	
Phoenix, AZ 85032	

ART UNIT	PAPER NUMBER
2166	

MAIL DATE	DELIVERY MODE
05/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 March 2007</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Claims 1-20 are presented for examination.

2.   Examiner acknowledges applicant's amendment filed on 3/5/2007.

3.   Claims 1,56,7,9,11,13,18, have been amended [3/5/2007].

Drawings

4.   The Drawings filed on 3/25/2004 are <u>acceptable</u> for examination purpose,

however, formal drawings are required in response to this office action.

Information Disclosure Statement

5.   The information disclosure statement filed on 9/8/2004 [3-pages] is in compliance

with the provisions of 37 CFR 1.97, and has been considered and a copy is enclosed

with this Office Action.

Priority

6.   Acknowledgment is made of applicant's claim for domestic priority based on

provisional application No. *60/437,839*, filed on 03/25/2003 under 35 U.S.C. 119(e).

35 USC § 112

7.   In view of applicant's amendment to claim5, the rejection under 35 USC 112 as

set forth in the previous office action is hereby withdrawn

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8.   ***Claims 1-20 are rejected under 35 U.S.C. 101 because invention is directed***

to non-statutory subject matter.

As set forth in MPEP 2106(II)A:

Identify and understand Any Practical Application Asserted for the Invention The

claimed invention as a whole must accomplish a practical application. That is, it must

produce a "useful, concrete and tangible result." State Street, 149 F.3d at 1373,

47USPQ2d at 1601-02. The purpose of this requirement is to limit patent protection to

inventions that possess a certain level of "real world" value, as opposed to subject

matter that represents nothing more than an idea or concept, or is simply a starting

point for future investigation or research (Brenner v. Manson, 383 U.S. 519, 528-36, 148

USPQ 689, 693-96); In re Ziegler, 992, F.2d 1197, 1200-03, 26 USPQ2d 1600,

1603-06 (Fed. Cir. 1993)). Accordingly, a complete disclosure should contain some

indication of the <u>practical application</u> for the claimed invention, i.e., why the applicant believes the claimed invention is useful.

Apart from the utility requirement of 35 U.S.C. 101, usefulness under the patent eligibility standard requires significant functionality to be present to satisfy the useful result aspect of the practical application requirement. See Arrhythmia, 958 F.2d at 1057, 22 USPQ2d at 1036. Merely claiming nonfunctional descriptive material stored in a <u>**computer-readable medium does not make the invention eligible for patenting**</u>. *For example, a claim directed to a word processing file stored on a disk may satisfy the utility requirement of 35 U.S.C. 101 since the information stored may have some "real world" value. However, the mere fact that the claim may satisfy the utility requirement of 35 U.S.C. 101 does not mean that a useful result is achieved under the practical application requirement.* <u>**The claimed invention as a whole must produce a "useful, concrete and tangible" result to have a practical application**</u>.

9.   Regarding Claim 1, 'a method for affiliation management, the method comprising: a step for providing a store comprising:

a first plurality of records each describing a respective person;

a second plurality of records wherein each record of the second plurality describes a respective item comprising at least one of a task and an appointment;

indicia of associations between records of the first plurality and records of the second plurality to associate at least one of attendees to appointments and assignees to tasks; and indicia of a plurality of identified affiliations;

a step for managing user sessions, each user session identified to a respective

person of the first plurality of records, each session comprising interaction between the

information system and a respective user described by the record of the respective

person;

a step for providing a first presentation in a first user session identified to a first

person for viewing by the respective user described by the reord of the first person, , the

first presentation comprising field values of records selected from the first plurality and

the second plurality in accordance with a first identified affiliation;

a step for providing a control in the first user session for operation by the

respective user described by the record of the first person;

a step for creating a second identified affiliation in response to operation of the

control; and

a step for providing a second presentation in accordance with the second

identified affiliation in a second user session identified to a second person for viewing by

the respective user described by the record of the second person" is directed to

"abstract idea" because all of the elements in the claim 1 would reasonably be

interpreted by one of ordinary skill in light of the disclosure at page 7,0028, page 10-

14,page 18-21,page 44-45, page 46-47, page 49-50, page 52-53, as software, such that

the method is software, per se , is "non-statutory subject matter" and *claim 1* do not

have "practical application" because the "final result" by the claimed invention in the

claim 1 elements particularly "*a step for providing a first presentation in a first user*

session identified to a first person for viewing by the respective user described

by the record of the first person, , the first presentation comprising field values of

records selected from the first plurality and the second plurality in accordance

with a first identified affiliation;

> *a step for providing a control in the first user session for operation by the*

respective user described by the record of the first person;

> *a step for creating a second identified affiliation in response to operation of*

the control; and

a step for providing a second presentation in accordance with the second

identified affiliation in a second user session identified to a second person for

viewing by the respective user described by the record of the second person" is

merely software routines or steps related to data structure, but do not produce "useful,

tangible and concrete" result, therefore, claim 1 is a non-statutory subject matter. The

claimed invention is subject to the test of State Street, 149 F.3d at 1373-74, 47 USPQ2d

at 1601-02. Specifically State Street sets forth that the claimed invention must produce

a *"useful, concrete result."* In other words 'the claims lack the necessary physical

articles or objects to constitute a machine or a manufacture within the meaning of 35

USC 101. They are clearly not a series of steps or acts to be a process nor are they a

combination of chemical compounds to be a composition of matter. As such, they fail to

fall within a statutory category. They are, at best, functional descriptive material *per se.*

The **Interim Guidelines for Examination of Patent Applications for Patent**

Subject Matter Eligibility states in section IV C. 2 b. (2) (on page 21 in the PDF

format):

The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had "no substantial practical application.").

[If] Claims 1 have the result of producing "real-world" results related to

"a step for providing a first presentation in a first user session identified to a first person for viewing by the respective user described by the record of the first person, , the first presentation comprising field values of records selected from the first plurality and the second plurality in accordance with a first identified affiliation;

a step for providing a control in the first user session for operation by the respective user described by the record of the first person;

a step for creating a second identified affiliation in response to operation of the control; and

a step for providing a second presentation in accordance with the second identified affiliation in a second user session identified to a second person for viewing by the respective user described by the record of the second person"

however the claim[s] do not specify that the result either output , displayed or at least

stored to a user or otherwise used in the real world.

The examiner reviewed the specification page 7,0028, page 10-14,

page 18-21,page 44-45, page 46-47, page 49-50, page 52-53 but was unable to find a

practical real-world use of the result ("*a step for providing a first presentation in a*

first user session identified to a first person for viewing by the respective user

described by the record of the first person, , the first presentation comprising

field values of records selected from the first plurality and the second plurality in

accordance with a first identified affiliation;

a step for providing a control in the first user session for operation by the

respective user described by the record of the first person;

a step for creating a second identified affiliation in response to operation of

the control; and

a step for providing a second presentation in accordance with the second

identified affiliation in a second user session identified to a second person for

viewing by the respective user described by the record of the second person"). If

the applicant is able to find one and inserts it into the claims provide the location the

element is found in the specification.

Claims 2-4 depends from claim 1 is also rejected in the above analysis.

10.   Regarding claim 5, "A method for affiliation management, performed by an

information system, the method comprising: a step for providing a store comprising:

a first plurality of records each describing a respective person;

a second plurality of records wherein each record of the second plurality

describes a respective item comprising at least one of a task and an appointment;

first indicia of associations between records of the first plurality and records of

the second plurality to associate at least one of attendees to appointments and

assignees to tasks;

a third plurality of records each describing a charge of at least one of a time

period and an expense;

second indicia of associations between records of the first plurality, records of the

second plurality, and records of the third plurality; and third indicia of a plurality of

identified affiliations;

a step for managing user sessions, each user session identified to a respective

person of the first plurality of records each session comprising interaction between the

information system and a respective user described by the record of the respective

person;

a step for providing in a first user session identified to a first person:

a first presentation for viewing by the respective user described by the record of

the first person, the first presentation comprising field values of records selected from

the first plurality and the second plurality according to an identified affiliation;

a first control for operation by the respective user described by the record of the first person; and

a second control for operation by the respective user described by the record of the first person;

a step for creating a record of the third plurality in response to user operation of the first control;

a step for receiving a request in response to user operation of the second control, the request comprising indicia of criteria; and

a step for downloading in a format for accounting a multiplicity of field values of records of the third plurality of records in accordance with the criteria" is directed to "abstract idea" because all of the elements in the claim 1 would reasonably be interpreted by one of ordinary skill in light of the disclosure at page 7,0028, page 10-14,page 18-21,page 44-45, page 46-47, page 49-50, page 52-53, as software, such that the method is software, per se , is "non-statutory subject matter" and *claim 5* do not have "practical application" because the "final result" by the claimed invention in the claim 5 elements particularly "*a first presentation for viewing by the respective user described by the record of the first person, the first presentation comprising field values of records selected from the first plurality and the second plurality according to an identified affiliation;*

a first control for operation by the respective user described by the record of the first person; and

a second control for operation by the respective user described by the record of the first person;

a step for creating a record of the third plurality in response to user operation of the first control;

a step for receiving a request in response to user operation of the second control, the request comprising indicia of criteria; and

a step for downloading in a format for accounting a multiplicity of field values of records of the third plurality of records in accordance with the criteria" is merely software routines or steps related to data structure, but do not produce "useful, and concrete" result, therefore, claim 5 is a non-statutory subject matter.

The claimed invention is subject to the test of State Street, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention must produce a *"useful, concrete result."* In other words 'the claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se.*

The **Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility** states in section IV C. 2 b. (2) (on page 21 in the PDF format):

The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had "no substantial practical application.").

[If] Claims 5 have the result of producing "real-world" results related to *"a first presentation for viewing by the respective user described by the record of the first person, the first presentation comprising field values of records selected from the first plurality and the second plurality according to an identified affiliation;*

a first control for operation by the respective user described by the record of the first person; and

a second control for operation by the respective user described by the record of the first person;

a step for creating a record of the third plurality in response to user operation of the first control;

a step for receiving a request in response to user operation of the second control, the request comprising indicia of criteria; and

a step for downloading in a format for accounting a multiplicity of field values of records of the third plurality of records in accordance with the criteria" however

the claim[s] do not specify that the result either output , displayed or at least stored to a

user or otherwise used in the real world.

The examiner reviewed the specification page 7,0028, page 10-14,

page 18-21,page 44-45, page 46-47, page 49-50, page 52-53 but was unable to find a

practical real-world use of the result ("*a first presentation for viewing by the*

respective user described by the record of the first person, the first presentation

comprising field values of records selected from the first plurality and the second

plurality according to an identified affiliation;

a first control for operation by the respective user described by the record

of the first person; and

a second control for operation by the respective user described by the

record of the first person;

a step for creating a record of the third plurality in response to user

operation of the first control;

a step for receiving a request in response to user operation of the second

control, the request comprising indicia of criteria; and

a step for downloading in a format for accounting a multiplicity of field values of

records of the third plurality of records in accordance with the criteria"). If the

applicant is able to find one and inserts it into the claims provide the location the

element is found in the specification.

11.   Regarding claim 6, "A method for affiliation management, performed by an

information system, the method comprising: a step for providing a store comprising:

a first plurality of records each describing a respective person;

a second plurality of records wherein each record of the second plurality

describes a respective item comprising at least one of a task and an appointment;

indicia of associations between records of the first plurality and records of the

second plurality to associate at least one of attendees to appointments and assignees

to tasks; and indicia of a plurality of identified affiliations;

a step for managing user sessions, each user session identified to a respective

person of the first plurality of records each session comprising interaction between the

information system and a respective user described by the record of the respective

person;

a step for providing a first presentation in a first user session identified to a first

person, the first presentation for viewing by the respective user described by the record

of the first person, the first presentation comprising a first multiplicity of field values of

records selected from the first plurality and the second plurality in accordance with a

first identified affiliation; and

a step for providing a second presentation in a second user session identified to

a second person, the second presentation for viewing by the respective user described

by the record of the second person, the second presentation comprising a second

multiplicity of field values of records selected from the first plurality and the second

plurality in accordance with a second identified affiliation; wherein the second multiplicity

includes at least one field value of the first multiplicity and at least one field value not of

the first multiplicity" is directed to "abstract idea" because all of the elements in the

claim 6 would reasonably be interpreted by one of ordinary skill in light of the disclosure

at page 7,0028, page 10-14,page 18-21,page 44-45, page 46-47, page 49-50, page 52-

53, as software, such that the method is software, per se , is "non-statutory subject

matter" and *claim 6* do not have "practical application" because the "final result" by the

claimed invention in the claim 6 elements particularly *"a step for providing a second*

presentation in a second user session identified to a second person, the second

presentation for viewing by the respective user described by the record of the

second person, the second presentation comprising a second multiplicity of field

values of records selected from the first plurality and the second plurality in

accordance with a second identified affiliation; wherein the second multiplicity

includes at least one field value of the first multiplicity and at least one field value

not of the first multiplicity" is merely software routines or steps related to data

structure, but do not produce "useful, and concrete" result, therefore, claim 6 is a non-

statutory subject matter.

The claimed invention is subject to the test of State Street, 149 F.3d at 1373-74,

47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention

must produce a *"useful, concrete result."* In other words 'the claims lack the

necessary physical articles or objects to constitute a machine or a manufacture within

the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a

process nor are they a combination of chemical compounds to be a composition of

matter. As such, they fail to fall within a statutory category. They are, at best, functional

descriptive material *per se*.

The **Interim Guidelines for Examination of Patent Applications for Patent**

Subject Matter Eligibility states in section IV C. 2 b. (2) (on page 21 in the PDF

format):

> The tangible requirement does not necessarily mean that a claim must
> either be tied to a particular machine or apparatus or must operate to change
> articles or materials to a different state or thing. However, the tangible
> requirement does require that the claim must recite more than a § 101 judicial
> exception, in that the process claim must set forth a practical application of that §
> 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72,
> 175 USPQ at 676-77 (invention ineligible because had "no substantial practical
> application.").

> [If] Claims 6 have the result of producing "real-world" results related to "*a step*
> *for providing a second presentation in a second user session identified to a*
> *second person, the second presentation for viewing by the respective user*
> *described by the record of the second person, the second presentation*
> *comprising a second multiplicity of field values of records selected from the first*
> *plurality and the second plurality in accordance with a second identified*
> *affiliation; wherein the second multiplicity includes at least one field value of the*
> *first multiplicity and at least one field value not of the first multiplicity"* however

the claim[s] do not specify that the result either output , displayed or at least stored to a

user or otherwise used in the real world.

 The examiner reviewed the specification page 7,0028, page 10-14, page 18-21,

 page 44-45, page 46-47, page 49-50, page 52-53 but was unable to find a practical

real-world use of the result (*a step for providing a second presentation in a second*

user session identified to a second person, the second presentation for viewing

by the respective user described by the record of the second person, the second

presentation comprising a second multiplicity of field values of records selected

from the first plurality and the second plurality in accordance with a second

identified affiliation; wherein the second multiplicity includes at least one field

value of the first multiplicity and at least one field value not of the first

multiplicity).   If the applicant is able to find one and inserts it into the claims provide

the location the element is found in the specification.

12.   Regarding claim 7, "A method for affiliation management, performed by an

information system, the method comprising: a step for providing a store of identified

affiliation information, the store comprising:

        a first plurality of records each describing a respective person;

        a second plurality of records wherein each record of the second plurality

describes a respective item comprising at least one of a task and an appointment;

indicia of associations between records of the first plurality and records of the

second plurality to associate at least one of attendees to appointments and assignees

to tasks; and indicia of a plurality of identified affiliations;

a step for managing user sessions, each user session identified to a respective

person of the first plurality of records each session comprising interaction between the

information system and a respective user ;

a step for providing a first presentation in a first user session identified to a first

person, the first presentation comprising field values of records selected from the first

plurality and the second plurality in accordance with a first identified affiliation;

a step for providing a control in the first user session for beginning a chat

session; and

a step for providing a list of persons identified to other active user sessions

selected from records of the first plurality in accordance with the criteria of the first

identified affiliation" is directed to "abstract idea" because all of the elements in the

claim 7 would reasonably be interpreted by one of ordinary skill in light of the disclosure

at page 7,0028, page 10-14,page 18-21,page 44-45, page 46-47, page 49-50, page 52-

53, as software, such that the method is software, per se , is "non-statutory subject

matter" and *claim 7* do not have "practical application" because the "final result" by the

claimed invention in the claim 7 elements particularly "*a step for providing a first*

presentation in a first user session identified to a first person, the first

presentation for viewing by the respective user described by the record of the

first person, the first presentation comprising field values of records selected

from the first plurality and the second plurality in accordance with a first

identified affiliation;

a step for providing a control in the first user session for beginning a chat

session for operation by the respective user described by the record of the first

person; and

a step for providing a list of persons identified to other active user

sessions selected from records of the first plurality in accordance with the

criteria of the first identified affiliation" is merely software routines or steps related to

data structure, but do not produce "useful, and concrete" result, therefore, claim 7 is a

non-statutory subject matter.

The claimed invention is subject to the test of State Street, 149 F.3d at 1373-74,

47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention

must produce a *"useful, concrete result."* In other words 'the claims lack the

necessary physical articles or objects to constitute a machine or a manufacture within

the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a

process nor are they a combination of chemical compounds to be a composition of

matter. As such, they fail to fall within a statutory category. They are, at best, functional

descriptive material *per se*.

The **Interim Guidelines for Examination of Patent Applications for Patent**

Subject Matter Eligibility states in section IV C. 2 b. (2) (on page 21 in the PDF

format):

The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had "no substantial practical application.").

[If] Claims 7 have the result of producing "real-world" results related to *a step for providing a first presentation in a first user session identified to a first person, the first presentation for viewing by the respective user described by the record of the first person, the first presentation comprising field values of records selected from the first plurality and the second plurality in accordance with a first identified affiliation;*

a step for providing a control in the first user session for beginning a chat session for operation by the respective user described by the record of the first person; and

a step for providing a list of persons identified to other active user sessions selected from records of the first plurality in accordance with the criteria of the first identified affiliation, however the claim[s] do not specify that the result either output , displayed or at least stored to a user or otherwise used in the real world.

The examiner reviewed the specification page 7,0028, page 10-14, page 18-21, page 44-45, page 46-47, page 49-50, page 52-53 but was unable to find a practical real-world use of the result to (*a step for providing a first presentation in a first user session identified to a first person, the first presentation for viewing by the respective user described by the record of the first person, the first presentation comprising field values of records selected from the first plurality and the second plurality in accordance with a first identified affiliation;*

a step for providing a control in the first user session for beginning a chat session for operation by the respective user described by the record of the first person; and

a step for providing a list of persons identified to other active user sessions selected from records of the first plurality in accordance with the criteria of the first identified affiliation).   If the applicant is able to find one and inserts it into the claims provide the location the element is found in the specification.

Claim 8 is depend from claim 7 is also rejected in the analysis of claim 7 above.

13.   Regarding claim 9, "A store for access by an information system, the store comprising: a first plurality of records each describing a respective person;

a second plurality of records wherein each record of the second plurality describes a respective item comprising at least one of a task and an appointment;

indicia of associations between records of the first plurality and records of the

second plurality to associate at least one of attendees to appointments and assignees

to tasks;

a third plurality of records each describing a note;

indicia of associations between records of the third plurality and at least one of

records the first plurality and records of the second plurality;

indicia of identified subject for associating records of the first plurality, the second

plurality, and the third plurality, each respective association in accordance with a

common subject; and indicia of affiliations, each affiliation being associated with a

multiplicity of the first plurality, the second plurality, and the third plurality of records

wherein the store provides content for presentations by the information system for

affiliation management to and as directed by users of the information system"

is directed to "abstract idea" because all of the elements in the claim 9 would

reasonably be interpreted by one of ordinary skill in light of the disclosure at page

7,0028, page 10-14,page 18-21,page 44-45, page 46-47, page 49-50, page 52-53, as

software, such that the method is software, per se , is "non-statutory subject matter"

and *claim 9* do not have "practical application" because the "final result" by the claimed

invention in the claim 9 elements particularly *"indicia of identified subject for*

associating records of the first plurality, the second plurality, and the third

plurality, each respective association in accordance with a common subject; and

indicia of affiliations, each affiliation being associated with a multiplicity of the

first plurality, the second plurality, and the third plurality of records wherein the

store provides content for presentations by the information system for affiliation

management to and as directed by users of the information system" is merely

software routines or steps related to data structure, but do not produce "useful, and

concrete" result, therefore, claim 9 is a non-statutory subject matter.

The claimed invention is subject to the test of State Street, 149 F.3d at 1373-74,

47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention

must produce a *"useful, concrete result."* In other words 'the claims lack the

necessary physical articles or objects to constitute a machine or a manufacture within

the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a

process nor are they a combination of chemical compounds to be a composition of

matter. As such, they fail to fall within a statutory category. They are, at best, functional

descriptive material *per se*.

The **Interim Guidelines for Examination of Patent Applications for Patent**

Subject Matter Eligibility states in section IV C. 2 b. (2) (on page 21 in the PDF

format):

> The tangible requirement does not necessarily mean that a claim must
> either be tied to a particular machine or apparatus or must operate to change
> articles or materials to a different state or thing. However, the tangible
> requirement does require that the claim must recite more than a § 101 judicial
> exception, in that the process claim must set forth a practical application of that §
> 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72,
> 175 USPQ at 676-77 (invention ineligible because had "no substantial practical
> application.").

If, Claims 9 have the result of producing "real-world" results related to *"indicia of identified subject for associating records of the first plurality, the second plurality, and the third plurality, each respective association in accordance with a common subject; and indicia of affiliations, each affiliation being associated with a multiplicity of the first plurality, the second plurality, and the third plurality of records wherein the store provides content for presentations by the information system for affiliation management to and as directed by users of the information system"*, however the claim[s] do not specify that the result either output , displayed or at least stored to a user or otherwise used in the real world.

The examiner reviewed the specification page 7,0028, page 10-14, page 18-21, page 44-45, page 46-47, page 49-50, page 52-53 but was unable to find a practical real-world use of the result (*indicia of identified subject for associating records of the first plurality, the second plurality, and the third plurality, each respective association in accordance with a common subject; and indicia of affiliations, each affiliation being associated with a multiplicity of the first plurality, the second plurality, and the third plurality of records wherein the store provides content for presentations by the information system for affiliation management to and as directed by users of the information system"*).   If the applicant is able to find one and inserts it into the claims provide the location the element is found in the specification.

14.   Regarding claim 13, "A method for affiliation management, the method

comprising: a step for providing a store comprising: a first plurality of records each

describing a respective person;

a second plurality of records wherein each record of the second plurality

describes a respective item comprising at least one of a task and an appointment;

indicia of associations between records of the first plurality and records of the

second plurality to associate at least one of attendees to appointments and assignees

to tasks; and indicia of a plurality of identified affiliations;

a step for providing a first presentation to a user of the information system

comprising field values of records selected from the first plurality and the second

plurality in accordance with a first identified affiliation and a first aggregation;

a step for receiving a request to edit a field value of a record of the store thereby

creating a modified field value; and

a step for providing a control comprising a list of alternate aggregations for user

activation in place of the first aggregation, the control for operation by the respective

user described by the record of the first person, the list including a particular

aggregation operative in accordance with the modified field value"

is directed to "abstract idea" because all of the elements in the claim 13 would

reasonably be interpreted by one of ordinary skill in light of the disclosure at page

7,0028, page 10-14,page 17-21,page 44-45, page 46-47, page 49-50, page 52-53, as

software, such that the method is software, per se , is "non-statutory subject matter"

and *claim 13* do not have "practical application" because the "final result" by the

claimed invention in the claim 13 elements particularly *"a step for receiving a request to edit a field value of a record of the store thereby creating a modified field value; and*

a step for providing a control comprising a list of alternate aggregations for user activation in place of the first aggregation, the control for operation by the respective user described by the record of the first person, the list including a particular aggregation operative in accordance with the modified field value" is merely software routines or steps related to manipulating data structure, but do not produce "useful, and concrete" result, therefore, claim 13 is a non-statutory subject matter.

The claimed invention is subject to the test of State Street, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention must produce a *"useful, concrete result."* In other words 'the claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

The **Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility** states in section IV C. 2 b. (2) (on page 21 in the PDF format):

The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had "no substantial practical application.").

If, Claims 13 have the result of producing "real-world" results related to ""*a step for receiving a request to edit a field value of a record of the store thereby creating a modified field value; and*

a step for providing a control comprising a list of alternate aggregations for user activation in place of the first aggregation, the control for operation by the respective user described by the record of the first person, the list including a particular aggregation operative in accordance with the modified field value", however the claim[s] do not specify that the result either output , displayed or at least stored to a user or otherwise used in the real world.

The examiner reviewed the specification page 7,0028, page 10-14, page 17-21, page 44-45, page 46-47, page 49-50, page 52-53 but was unable to find a practical real-world use of the result (*"a step for receiving a request to edit a field value of a record of the store thereby creating a modified field value; and*

a step for providing a control comprising a list of alternate aggregations for user activation in place of the first aggregation, the control for operation by the respective user described by the record of the first person, the list including a particular aggregation operative in accordance with the modified field value").

If the applicant is able to find one and inserts it into the claims provide the location the element is found in the specification.

15.   Regarding claim 18, "A method for communicating among users of a plurality of users, the method performed by a server, the method comprising:

providing a list of items to any particular user of the plurality, wherein: each item is of a common type, the common type being of a set of types including a contact, an appointment, and a task; and

each item is associated with a respective set of controls, each control comprising a presentation to a user interface, wherein:

each respective set of controls comprises respective controls of common appearance as respective controls of each other set of controls; and each respective control of each set, when activated by a user, performs a function in accordance with the item to which it is associated; and

accepting input of the particular user to activate a particular control to facilitate at least one of the creation of a new item,

accessing a created item, and accessing a second list of created items, the second list prepared according to the method" is directed to "abstract idea" because all

of the elements in the claim 18 would reasonably be interpreted by one of ordinary skill

in light of the disclosure at page 7,0028, page 10-14,page 17-21,page 44-45, page 46-

47, page 49-50, page 52-53, as software, such that the method is software, per se , is

"non-statutory subject matter" and *claim 18* do not have "practical application" because

the "final result" by the claimed invention in the claim 18 elements particularly

"accessing a created item, and accessing a second list of created items, the

second list prepared according to the method" is merely software routines or steps

related to manipulating data structure, but do not produce "useful, and concrete" result,

therefore, claim 18 is a non-statutory subject matter.

The claimed invention is subject to the test of State Street, 149 F.3d at 1373-74,

47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention

must produce a *"useful, concrete result."* In other words 'the claims lack the

necessary physical articles or objects to constitute a machine or a manufacture within

the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a

process nor are they a combination of chemical compounds to be a composition of

matter. As such, they fail to fall within a statutory category. They are, at best, functional

descriptive material *per se.*

The **Interim Guidelines for Examination of Patent Applications for Patent**

Subject Matter Eligibility states in section IV C. 2 b. (2) (on page 21 in the PDF

format):

> The tangible requirement does not necessarily mean that a claim must
> either be tied to a particular machine or apparatus or must operate to change

articles or materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had "no substantial practical application.").

If, Claims 18 have the result of producing "real-world" results related to

"*accessing a created item, and accessing a second list of created items, the second list prepared according to the method'"*, however the claim[s] do not specify that the result either output, displayed or at least stored to a user or otherwise used in the real world.

The examiner reviewed the specification page 7,0028, page 10-14, page 17-21, page 44-45, page 46-47, page 49-50, page 52-53 but was unable to find a practical real-world use of the result (*accessing a created item, and accessing a second list of created items, the second list prepared according to the method'"'*). If the applicant is able to find one and inserts it into the claims provide the location the element is found in the specification.

Examiner suggests claim 20 should read " A computer-readable *storage* medium..........., *if specification sufficiently disclosed*..

***For "General Analysis for Determining Patent-Eligible Subject Matter", see 101 Interim Guidelines as indicated below*:**

<<http://www.uspto.gov/web/offices/pac/dapp/ogsheet.html>>

see MPEP 8th edition, Rev 5, Aug 2006

No new matter should be entered

Claim Rejections - 35 USC § 102

16.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

17.   Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by

Behnia   US Publication No. 2003/0088536 filed on April 9, 2001 and published on

May 8, 2003

18.   As to claim 1, Behnia teaches a system which including ' a method for affiliation

management performed by an information system, [page 5, col 2, 0098], affiliation

management corresponds to plurality of departments within an organization, the method

comprising: a step for providing a store comprising:

        a first plurality of records each describing a respective person' [page 7, col 1,

0113-0114, 0117], plurality of records corresponds to list of entities related to specific

username, password and session ID as detailed in 0113-0114, 0117;

        a second plurality of records wherein each record of the second plurality

describes a respective item comprising at least one of a task and an appointment' [page

13, col 2, 0226, 0228, fig 11, fig 13A], second plurality of records corresponds to task

and appointment as detailed in fig 11, 13A;;

indicia of associations between records of the first plurality and records of the

second plurality to associate at least one of attendees to appointments and assignees

to tasks; and indicia of a plurality of identified affiliations' [fig 7, page 13, col 2, 0230],

Behnia specifically suggests user is linked to a specific project tab linking project, and

root application category that is associated with the calendar items;

a step for managing user sessions, each user session identified to a respective

person of the first plurality of records [page 5, col 2, 0099, line 8-10, page 7, 0113-0115]

Behnia specifically teaches user session ID association with username as detailed in

page 7, 0113-0115;; 'each session comprising interaction between the information

system and a respective user described by the record of the respective person'

[page 5, 0099], Behnia specifically suggests various management functions, particularly

management function including session management, related to individual users as

detailed in page 5, 0099;

a step for providing a first presentation in a first user session identified to a first

person, for viewing by the respective user described by the record of the first person,

the first presentation comprising field values of records selected from the first plurality

and the second plurality in accordance with a first identified affiliation' [page 14, col 1,

0235, fig 15]; Behnia specifically teaches user interface that allows users to view the

content for example particularly records sent by e-mail as detailed in page 14, 0236;

a step for providing a control in the first user session for operation by the

respective user described by the record of the first person [page 14, col 1, 0236];

a step for creating a second identified affiliation in response to operation of the control; and a step for providing a second presentation in accordance with the second identified affiliation in a second user session identified to a second person for viewing by the respective user described by the record of the second person' [page 14, col 2, 0241], Behnia specifically suggests user associated with the specific project including records listed providing to the second user.

19.   As to claim 2-4, Behnia disclosed 'a step for managing usage rights for each session' [page 7, col 1, 0116]; and a step for granting a usage right to the second person for creating during the second session an association of the second identified affiliation to a multiplicity of the first plurality of records not used in providing the first presentation' [page 6, col 1, 0102].

20.   *Claim 5,7-20 are rejected under 35 U.S.C. 102(e) as being anticipated by*

Bjoernsen et al [hereafter Bjoernsen], US Publication No. 2004/0174392 filed on

March 3, 2003 and published on Sept 9,2004.

21.   As to claim 5, A method for affiliation management performed by an information

system, [page 1, col 1, 0005], affiliation management corresponds to collaboration

servers having collaboration sessions;

'a first plurality of records each describing a respective person' [page 6, col 2,

0068,], Bjoernsen specifically teaches various records related to the user's collaboration

session;

'a second plurality of records wherein each record of the second plurality

describes a respective item comprising at least one of a task and an appointment' [fig 9,

page 6, col 2, 0069], Bjoernsen specifically teaches calendar particularly suggests task

and appointments;

first indicia of associations between records of the first plurality and records of

the second plurality to associate at least one of attendees to appointments [fig 10,

element 244] and assignees to tasks [see fig 10, page 6, col 2, 0070];

'a third plurality of records each describing a charge of at least one of a time

period and an expense' [fig 9, session history, element 230, page 4, col 2, 0049,

line 8-12];

second indicia of associations between records of the first plurality, records of the

second plurality [fig 12, element 258], and records of the third plurality;

and third indicia of a plurality of identified affiliations' [fig 12, element 262,246],

page 8, col 1, 0084];

a step for managing user sessions, each user session identified to a respective

person of the first plurality of records' [page 5, col 2, 0059, line 8-10], Bjoernsen

specifically suggests user session information is stored in the repository, fig 4, element

140 particularly session participant or user along with identifier and time stamp as

detailed in page 5, col 2, 0059]; 'each session comprising interaction between the

information system and a respective user described by the record of the respective

person' [page 5, 0059, line 8-10], Bjoernsen specifically teaches each session is

associated with specific user identifier record along with start and end time as detailed

in page 5, 0059, line 8-10;

a step for providing in a first user session identified to a first person [page 5,

col 2, 0059]:

a first presentation for viewing by the respective user described by the record of

the first person, the first presentation [0059, line 8-10] comprising field values of

records selected from the first plurality and the second plurality according to an

identified affiliation [page 5, col 2, 0059, line 3-10, 0060, line 4-8]

a first control for operation by the respective user described by the record of the

first person, a second control for operation by the respective user described by the

record of the first person [page 1, col 2, 0010, page 5, 0059, line 8-10, 0060, line 5-8];

a step for creating a record of the third plurality in response to user operation of

the first control [page 4, col 2, 0049, line 12-18], Bjoernsen specifically suggests various

records for example session start, end dates, times, session subject, session invitation

text, session host, participants and like that including documents as detailed in page 4,

0049, line 12-18;;

a step for receiving a request in response to user operation of the second control,

the request comprising indicia of criteria' [page 4, col 2, 0052, line 1-7]

'a step for downloading in a format for accounting a multiplicity of field values of

records of the third plurality of records in accordance with the criteria' [page 8, col 2,

0087, line 9-18]

22.   As to claim 7, 9, Bjoernsen teaches a system which including 'a method for

affiliation management [page 1, col 1, 0005], affiliation management corresponds to

collaboration servers having collaboration sessions;

a first plurality of records each describing a respective person [page 6, col 2,

0068,], Bjoernsen specifically teaches various records related to the user's collaboration

session;

a second plurality of records wherein each record of the second plurality

describes a respective item comprising at least one of a task and an appointment

[fig 9, page 6, col 2, 0069], Bjoernsen specifically teaches calendar particularly suggests

task and appointments;;

indicia of associations between records of the first plurality and records of the

second plurality to associate at least one of attendees to appointments and assignees

to tasks [fig 10, element 244] and assignees to tasks [see fig 10, page 6, col 2, 0070];

indicia of a plurality of identified affiliations [fig 12, element 262,246], page 8,

col 1, 0084];;

a step for managing user sessions, each user session identified to a respective

person of the first plurality of records, each session comprising interaction between the

information system and a respective user described by the record of the respective

person; [page 5, col 2, 0059, line 8-10], Bjoernsen specifically suggests user session

information is stored in the repository, fig 4, element 140 particularly session participant

or user along with identifier and time stamp as detailed in page 5, col 2, 0059];

a step for providing a first presentation in a first user session identified to a first

person, [page 5, col 2, 0059]: 'the first presentation for viewing by the respective user

described by the record of the first person, the first presentation comprising a field

values of records selected from the first plurality and the second plurality in accordance

with a first identified affiliation [page 5, col 2, 0060, line 4-8];

'a step for providing a control in the first user session for beginning a chat

session for operation by the respective user described by the record of the first person'

[page 9, col 1, line 10-13, fig 13], Bjoernsen specifically suggests chat session as

detailed in fig 13;; 'a step for providing a list of persons identified to other active user

sessions selected from records of the first plurality in accordance with the criteria of the

first identified affiliation' [page 9, col 1, 0093, fig 13-14].

23.   As to claim 8, Bjoernsen disclosed 'indicia of a project identified to a first

multiplicity of records of the first plurality and to a second multiplicity of records of the

second plurality to associate at least one of attendees to appointments and assignees

to tasks; and the list is further selected in accordance with indicia of the project'

[fig 9-10, page 6, col 2, 0070].

24.   As to claim 10, Bjoernsen disclosed 'common subject comprises indicia of a

person of the first plurality of records' [fig 10]

25.   As to claim 11, Bjoernsen disclosed 'common subject comprises a indicia of an

item of the second plurality of records' [page 3, col 1, 0036]

26.   As to claim 12, Bjoernsen disclosed 'indicia of a project identified to a first

multiplicity of records of the first plurality and to a second multiplicity of records of the

second plurality to associate at least one of attendees to appointments and assignees

to tasks; and the common subject comprises indicia of the project' [fig 9-10, page 6,

col 2, 0070].

27.   As to claim 13, Bjoernsen teaches a system which including 'a method for

affiliation management [page 1, col 1, 0005], affiliation management corresponds to

collaboration servers having collaboration sessions

        [page 6, col 2, 0068,], Bjoernsen specifically teaches various records related to

the user's collaboration session;

a second plurality of records wherein each record of the second plurality describes a respective item comprising at least one of a task and an appointment [fig 9, page 6, col 2, 0069], Bjoernsen specifically teaches calendar particularly suggests task and appointments;;

indicia of associations between records of the first plurality and records of the second plurality to associate at least one of attendees to appointments and assignees to tasks [fig 10, element 244] and assignees to tasks [see fig 10, page 6, col 2, 0070]; indicia of a plurality of identified affiliations [fig 12, element 262,246], page 8, col 1, 0084];;

a step for providing a first presentation to a user of the information system comprising field values of records selected from the first plurality and the second plurality in accordance with a first identified affiliation [page 5, col 2, 0059, line 3-10, 0060, line 4-8]; and a first aggregation [page 6, col 1, 0062];

a step for receiving a request to edit a field value of a record of the store thereby creating a modified field value' [page 5, col 1, 0055, line 9-11], Bjoernsen suggests editing meeting record[s] as detailed in page 5, 0055;

a step for providing a control comprising a list of alternate aggregations for user activation in place of the first aggregation, the control for operation by the respective user described by the record of the first person, the list including a particular aggregation operative in accordance with the modified field value' [page 5, col 1, 0055, line 11-16].

28.   As to claim 14, Bjoernsen disclosed 'a step for creating the particular
aggregation' [page 5, col 1, 0056, line 1-4].

29.   As to claim 15-16, Bjoernsen disclosed ' modified field value comprises indicia of
a person of the first plurality of records' [page 8, col 2, 0088, line 12-16].

30.   As to claim 17, Bjoernsen disclosed 'ndicia of a project identified to a first
multiplicity of records of the first plurality and to a second multiplicity of records of the
second plurality to associate at least one of attendees to appointments and assignees
to tasks; and the modified field value comprises indicia of the project' [fig 9-10, page 6,
col 2, 0070].

31.   As to claim 18, 20, Bjoernsen teaches a system which including 'a method for
communicating among users of a plurality of users' [page 2, col 2, 0032, line 9-11, page
3, col 2, 0040, line 1-5, fig 1], Bjoernsen specifically teaches collaboration session with
one or more users as detailed in 0032, fig 1; the method performed by a server' [page
10, col 1, 0103], Bjoernsen specifically suggests client-server communication network;,

      providing a list of items to any particular user of the plurality' [fig 9, page 6, col 2,
0069], Bjoernsen teaches scheduled collaboration calendar is presented to the user as
shown in fig 9,

      wherein: each item is of a common type, the common type being of a set of types
including, an appointment, and a task; and each item is associated with a respective set

of controls' [fig 10, page 6, col 2, 0070, line 1-8], menu is displayed to the user with

number tasks for example as shown in fig 10, common type, the common type being a

set of types including a tasks or contacts related to appointment as detailed

Bjoernsen's fig 10;

'each item is associated with a respective set of controls, each control comprising

a presentation to a user interface' [fig 10-12]

wherein: each respective set of controls comprises respective controls of

common appearance as respective controls of each other set of controls' [page 6, col 2,

0070, line 10-11], Bjoernsen specifically teaches contacts are shown as hyperlinks,

common appearance corresponds to contacts are in hyperlinks;

'each respective control of each set, when activated by a user, via the user

interface, performs a function in accordance with the item to which it is associated'

[page 6, col 2, 0070, line 10-18, fig 10], Bjoernsen suggests user selects contact

displayed by opening an empty e-mail addressed to the contact as detailed in page 6,

0070, fig 10;

accepting input of the particular user to activate a particular control to facilitate at

least one of the creation of a new item, accessing a created item, and accessing a

second list of created items, the second list prepared according to the method' [page 7,

col 1, 0072], Bjoernsen suggests user selects or selecting check box so that user can

select required contacts and that causes the session to launch automatically with

selected contacts as detailed in page 7, col 1, 0072.

32.   As to claim 19, Bjoernsen disclosed 'wherein the control comprises an icon

having a multiplicity of appearances, each appearance conveying a status of a second

item accessible via activation of the icon' [page 7, col 1, 0073].

Claim Rejections - 35 USC § 103

33.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

> This application currently names joint inventors. In considering patentability of the claims under 35
> U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly
> owned at the time any inventions covered therein were made absent any evidence to the contrary.
> Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates
> of each claim that was not commonly owned at the time a later invention was made in order for the
> examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior
> art under 35 U.S.C. 103(a).

34.   ***Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over***

Bjoernsen et al [hereafter Bjoernsen], US Publication No. 2004/0174392 filed on

March 3, 2003 and published on Sept 9,200 in view of Lu, US Patent No. 7039596,

filed on Oct 30,2002.

35.   As to claim 6, Bjoernsen teaches a system which including 'a method for

affiliation management performed by an information system, [page 1, col 1, 0005],

affiliation management corresponds to collaboration servers having collaboration

sessions;

a first plurality of records each describing a respective person [page 6, col 2,

0068,], Bjoernsen specifically teaches various records related to the user's collaboration

session;

a second plurality of records wherein each record of the second plurality

describes a respective item comprising at least one of a task and an appointment

[fig 9, page 6, col 2, 0069], Bjoernsen specifically teaches calendar particularly suggests

task and appointments;;

indicia of associations between records of the first plurality and records of the

second plurality to associate at least one of attendees to appointments and assignees

to tasks [fig 10, element 244] and assignees to tasks [see fig 10, page 6, col 2, 0070];

indicia of a plurality of identified affiliations [fig 12, element 262,246], page 8,

col 1, 0084];;

a step for managing user sessions, each user session identified to a respective

person of the first plurality of records, each session comprising interaction between the

information system and a respective user described by the record of the respective

person [page 5, col 2, 0059, line 8-10], Bjoernsen specifically suggests user session

information is stored in the repository, fig 4, element 140 particularly session participant

or user along with identifier and time stamp as detailed in page 5, col 2, 0059];

a step for providing a first presentation in a first user session identified to a first

person, [page 5, col 2, 0059]:

'the first presentation for viewing by the respective user described by the record of the first person, the first presentation comprising a first multiplicity of field values of records selected from the first plurality and the second plurality in accordance with a first identified affiliation [page 5, col 2, 0060, line 4-8];

'a step for providing a second presentation in a second user session identified to a second person, the second presentation comprising a second multiplicity of field values of records selected from the first plurality and the second plurality in accordance with a second identified affiliation[page 4, col 2, 0051].

It is however, noted that Bjoernsen does not specifically teach 'wherein the second multiplicity includes at least one field value of the first multiplicity and at least one field value not of the first multiplicity. On the other hand, Lu disclosed 'wherein the second multiplicity includes at least one field value of the first multiplicity and at least one field value not of the first multiplicity [col 8, line 56-67, col 9, line 1-4, fig 4], Lu suggests multiple calendars refers to specific programs having field information different from other calendar field.

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Lu into collaboration launchpad of Bjoernsen et al. because both Bjoernsen, Lu specifically teaches calendar, contacts, events, schedules and appointments [see Bjoernsen: fig 9; Lu: fig 4], both Bjoernsen, Lu suggests sharing calendar events, appointments with other users [Lu: col 9, line 38-44; Bjoernsen: page 3, col 2, 0040] and both are from same field of endeavor.

One of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Lu into collaboration launchpad of Bjoernsen et al. because that would have allowed users of Bjoernsen to create and view multiple electronic calendars side-by-side, furthermore allows to import events information from second electronic calendar into the first electronic calendar while maintaining event information [see Lu: col 3, line 42-50], also allows to updating the combined view to reflect a change to at least one of the existing entries [see Lu: col 3, line 66-67, col 4, line 1-3], thus improving the quality and reliability of electronic calendar.

Response to Arguments

36.   Applicant's arguments filed on 3/5/2007 with respect to claims 1-20 have been

fully considered but they are not persuasive, for examiner's response, see discussion

below:

a)   At page 10-11, claim 1, applicant argues that "there is nothing in Behnia that has

the function nor structure of an "identified affiliation" as claimed.

As to the above argument [a], As best understood by the examiner, Behnia is

directed to organization management, more specifically, organization having multiple

departments, Behnia also establishes communication among various departments for

example using with other interface applications and devices, and further managing

sessions [see Abstract, page 1, col 1, 0003, page 5, col 2, 0098], It is further noted that

Behnia specifically teaches "information objects" are arranged in a hierarchical structure

particularly establishing parent-child relationships as detailed in fig 1, also in the parent-

child relation structure, each object is uniquely identified , and logically established

relations, therefore, affiliation management corresponds to Behnia's plurality of

departments within an organization.

b)   At page 11, claim 1, line 15-17 , applicant presented arguments from the spec

[0025] that "one of the results provided by an affiliation manager is reduced risk of

conflicts arising from physical limitations (eg. Time and place) and limitations on

resources (e.g. expense budgets] [spec 0025].

        In response to applicant's argument [b], that the references fail to show certain

features of applicant's invention, it is noted that the features upon which applicant relies

(i.e., specification para 0025) are not recited in the rejected claim(s). Although the

claims are interpreted in light of the specification, limitations from the specification are

not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed.

Cir. 1993). As best understood by the examiner, Behnia specifically discussing the

problem of "inefficient, needlessly wasting time in organizating information in a

conventional methods as discussed in the background of the disclosure [page 3, 0021],

and solving the problem in managing, organizing, establishing relationship among

various departments and effectively communicating , furthermore, providing benefits of

reducing risk and conflicts among "affiliations" [page 21, 0292-0294; page 22, 0295-

0302].

c)   At page 11-12, applicant argues that "an item as recited in the claims refers to

information organized for use in an information system [spec 0026,0046,0047], further

in page 12, applicant argues that An item is not a person, or a location........

In response to applicant's argument [c], that the references fail to show certain

features of applicant's invention, it is noted that the features upon which applicant relies

(i.e., specification para 0025) are not recited in the rejected claim(s). Although the

claims are interpreted in light of the specification, limitations from the specification are

not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed.

Cir. 1993). As best understood by the examiner, Behnia specifically teaches graphical

user interface where various tasks and appointments are made available to the user to

select or update as detailed in fig 11, 13A, page 13, col 2, 0226,0228], further, it is

noted that applicant specifically suggests "items" as described in the drawing fig 7

[specification] particular, item is related to "document related to folder",

"rsource","location" and like is reads on Behnia's fig 11, and 13A simply because,

Behnia also teaches "document related to calendar or task or appointment", resources

corresponds to Behnia's computer resources; "location corresponds to Behnia fig 11

organizing appointment: meet client including time and location", therefore, Bbehnia

teaches "item[s]" refers to information organized for use in an information system for

example fig 11, fig 13A.

d)   At page 12, claims 5,7-20, applicant argues that in Bjoernsen a room may

include facilities for collaboration named for a project, however, there is no mention of

the collection of costs for a project.

As to the above argument [d], as best understood by the examiner, Bjoernsen is

directed to collaboration launchpad, more specifically, multiple collaboration service

selections from multiple collaboration service providers where service selections is

received and displayed to the user for associating the one or more selected contacts

with the session [see Abstract], further "item[s]" may also comprise an object

identification entity having information for establishing connection to a document in a

collaboration session , further integration system allows considerably improving users

collaboration session, with respect to time and cost of the session [0036] and saving

other costs such as real-time document sharing, working other teams both internal and

external as detailed in [0035].

e)   At page 12, applicant argues that Lu does not supply a teaching of "affiliation" or

"item", and there is no suggestion to combine the teachings of Behnia, Bjoernsen,and

Lu.

In response to applicant's argument [e], that there is no suggestion to combine

the references, the examiner recognizes that obviousness can only be established by

combining or modifying the teachings of the prior art to produce the claimed invention

where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in

the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re*

Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both . Bjoernsen,

Lu specifically teaches calendar, contacts, events, schedules and appointments [see

Bjoernsen: fig 9; Lu: fig 4], both Bjoernsen, Lu suggests sharing calendar events,

appointments with other users [Lu: col 9, line 38-44; Bjoernsen: page 3, col 2, 0040] and

both Bjoernsen, Lu specifically suggests user interface allows users to manipulate,

update and output the information [see Bjoernsen: fig 1, fig 9; Lu: fig 4] are from same

field of endeavor,.

Therefore, it would have been obvious to one of the ordinary skill in the art at the

time of applicant's invention to incorporate the teachings of Lu into collaboration

launchpad of Bjoernsen et al. because both Bjoernsen, Lu specifically teaches calendar,

contacts, events, schedules and appointments [see Bjoernsen: fig 9; Lu: fig 4], both

Bjoernsen, Lu suggests sharing calendar events, appointments with other users [Lu: col

9, line 38-44; Bjoernsen: page 3, col 2, 0040] and both are from same field of endeavor.

One of the ordinary skill in the art at the time of applicant's invention to

incorporate the teachings of Lu into collaboration launchpad of Bjoernsen et al. because

that would have allowed users of Bjoernsen to create and view multiple electronic

calendars side-by-side, furthermore allows to import events information from second

electronic calendar into the first electronic calendar while maintaining event information

[see Lu: col 3, line 42-50], also allows to updating the combined view to reflect a change

to at least one of the existing entries [see Lu: col 3, line 66-67, col 4, line 1-3], thus

improving the quality and reliability of electronic calendar.

f)   At page 9, examiner noted applicant's remarks regarding rejection under 35 USC

101, however, it appears to be directed to "abstract idea" because all of the elements in

claims particularly claim 1,5,6,7,9,13,18 interpreted by one of ordinary skill in the art in

light of the disclosure at page 7, 0028, page 10-14, page 44-45, page 46-47, page 52-

53 is simply routines merely displaying or providing output but do not produce "useful,

and concrete" result useful in real world. Further the claimed invention is subject to the

test of "state Street" that must produce a "useful, concrete, and tangible result", it is

unclear what part of the claim[s] 1,5,6,7,9,13,18 producing "real-world" result? and what

is the "practical use" or utility?, at least applicant fail to provide "final result" by the

claimed invention in the claim 1,5,6,7,9,13,18 elements , but merely viewing or

displaying user session identified to a second person [for example claim 1]

 Hence, the above claim 1,5,6,7,9,13,18 rejected under 35 USC 101 because the claims

1,5,6,7,9,13,18 without any active, positive steps that produces useful "real-world"

result. See Ex parte Dunki, 153 USPQ 678 (Bd.App. 1967) and Clinical Products, Ltd.

V. Brenner, 255 F. Supp. 131, 149 USPQ 475 (D.D.C. 1996).

If claims 1,5,6,7,9,13,18 produces "real world" result, and if the applicant is able

to find one and inserts it into the claims provided the location the element is found

support from the specification.

Examiner applies above arguments to the claims 2-4,8,10-12,14-17,19-20

depend from   claims 1,7,9,13,18.

Conclusion

The prior art made of record

a.	US Pub.No. .	2003/0088563
b.	US Ppub. .No.	20040174392
c.	US Patent No.	7039596

37.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

     A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108.   The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

sc
Patent Examiner.
May 4, 2007.

SRIRAMA CHANNAVAJJALA
PRIMARY EXAMINER